

1
Appl. No.: 10/734,019
Amdt. dated 06/29/2005
Reply to Office action of March 29, 2005

REMARKS/ARGUMENTS

Claims 1-10 are pending in the application. Applicant notes with appreciation that the Examiner has indicated that claims 9 and 10 are allowed, and claims 7 and 8 would be allowable if not dependent on a rejected base claim.

Claims 1-6 stand rejected under 35 U.S.C. § 103(a) as being obvious in view of the combination of JP 10-282654, JP 2003-292496 or Yamaguchi (CAplus abstract DN 132:293809), and Toyoda (U.S. Patent Application No. 2004/0175655).

As an initial matter, Applicant notes that JP 2003-292496 only possibly qualifies as prior art under 35 U.S.C. § 102(a) based on its publication date of October 15, 2003. Applicant has enclosed a copy of the English translation of the priority document to the present application, Japanese Application No. 2003-000796, filed January 7, 2003. Because the priority document to the present application predates the publication of JP 2003-292496 and shows that the Applicant invented the subject matter of the present claims prior to the publication of JP 2003-292496, JP 2003-292496 is not prior art with respect to the present application. Accordingly, Applicant respectfully requests withdrawal of the rejection based on JP 2003-292496.

In response to the remaining rejection based on the combination of JP 10-282654, Yamaguchi and Toyoda, Applicant notes that one skilled in the art would not be motivated to combine these references in the manner set forth in the Office Action. JP 10-282654 describes a crosslinking agent crosslinked by acid and an infrared absorbing agent, but does not teach a silane crosslinking agent of formula (1) or (2) as claimed in claims 1-6. Thus, JP 10-282654 uses the infrared absorbing agent to initiate the crosslinking agent. The abstract to Yamaguchi describes the use of silanes for the surface modification of a silica gel. Unlike JP 10-282654, Yamaguchi teaches UV irradiation of the silane and thus activates the silane crosslinking agent through the use of UV irradiation. Thus, one skilled in the art would not be motivated to use the silane crosslinking agent of Yamaguchi in the JP 10-282654 composition, which includes an

Appl. No.: 10/734,019
Amdt. dated 06/29/2005
Reply to Office action of March 29, 2005

infrared absorbing agent. Furthermore, neither JP 10-282654 nor Yamaguchi would provide one skilled in the art with a reasonable expectation of success that combining the silane crosslinking agent of Yamaguchi with the infrared absorbing agent in JP 10-282654 would produce the claimed resinous polymer.

Toyoda also does not provide motivation for combining the cited references to produce the claimed invention. The Office Action argues that Toyoda states that a silane coupling agent may be used with a photosensitive polymer to achieve close adhesion between the photosensitive polymer and an optical waveguide substrate. However, like Yamaguchi, Toyoda also does not teach nor suggest the inclusion of an infrared absorbing agent but rather describes the use of UV irradiation. Thus, Toyoda would not provide the motivation for combining JP 10-282654 and Yamaguchi. Furthermore, Toyoda would not provide the skilled artisan with a reasonable expectation that the combination of JP 10-282654 and Yamaguchi would be successful.

Applicants further note that Toyoda does not even teach or suggest the specific silane crosslinking agents of formula (1) or (2) as claimed in claims 1-6. A skilled artisan would not have been motivated to select the specific silane of Yamaguchi from the universe of crosslinking agents to combine with JP 10-282654 based on Yamaguchi and Toyoda.

For the reasons provided above, Applicant respectfully submits that the combination of JP 10-282654, Yamaguchi and Toyoda does not teach or suggest the claimed invention. Accordingly, Applicants respectfully requests that this rejection be withdrawn.

Though the Office Action did not expressly include JP 2002-080481 in the rejection, the Office Action states that JP 2002-080481 (like JP 2003-292496 or Yamaguchi) includes silane coupling agents. However, like Yamaguchi, JP 2002-080481 teaches UV irradiation of the silane and one skilled in the art would not combine JP 2002-080481 with JP 10-282654 and Toyoda to produce the claimed invention.

Appl. No.: 10/734,019
Amdt. dated 06/29/2005
Reply to Office action of March 29, 2005

Applicant further notes that as stated in paragraph [0005] of the application, the present invention has unexpected advantages, such as a high latitude of development, a large treatable area, and a high printing durability as compared with the prior art. None of the cited references teach or suggest these advantages.

Applicants respectfully submit that all the claims are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested in due course. If any minor informalities need to be addressed, the Examiner is directed to contact the undersigned attorney by telephone to facilitate prosecution of this case.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Cynthia V. Hall
Registration No. 56,544

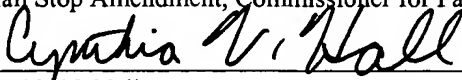
Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Atlanta Office (404) 881-7000
Fax Atlanta Office (404) 881-7777

Appl. No.: 10/734,019
Amdt. dated 06/29/2005
Reply to Office action of March 29, 2005



"Express Mail" mailing label number EV 660253860 US
Date of Deposit June 29, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:
Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Cynthia V. Hall